

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Standard Pacific of the Carolinas, LLC,

Plaintiff,

vs.

Amerisure Insurance Company,

Defendant.

C/A No. 0:10-cv-01620-JFA

ORDER

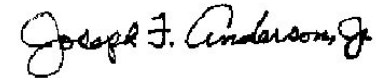
This matter is before the Court following an appeal. More particularly, on January 5, 2011, the Court denied the Plaintiff's motion for Partial Judgment on the Pleadings/Summary Judgment and granted summary judgment in favor of Defendant. *See* ECF No. 34. Among other things, the Court determined that the Plaintiff was not entitled to coverage as an additional insured under a commercial general liability insurance policy issued by Defendant to Matthews Construction Company, Inc. On April 4, 2011, the Court denied the Plaintiff's motion for reconsideration of its earlier order. *See* ECF No. 50. On April 11, 2011, the Plaintiff voluntarily dismissed its remaining causes of action for breach of contract, bad faith/punitive damages, and attorneys' fees.¹ *See* ECF No. 52. Plaintiff then appealed the Court's ruling on coverage.

On appeal, the Fourth Circuit Court of Appeals found that Plaintiff was in fact entitled to coverage. *See* ECF No. 62. Thus, in accordance with the Fourth Circuit's Mandate in the above-captioned case (*see* ECF Nos. 65), summary judgment is hereby granted in favor of Plaintiff on the issue of coverage. The remaining claims having been dismissed, this case is now closed.

¹ The Court notes that Plaintiff subsequently filed a separate action realleging these causes of action, which the Court stayed pending the outcome of the appeal in the above-captioned case. *See* Case No. 0:12-cv-00989-JFA.

IT IS SO ORDERED.

January 11, 2013
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge